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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,726	02/04/2005	Torsten Dauss	2002P03973WOUS	1109
7590 Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830			EXAMINER	CHARIOUI, MOHAMED
			ART UNIT	PAPER NUMBER
			2857	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/19/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/523,726	DAUSS ET AL.	
	Examiner Mohamed Charioui	Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 October 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 9-26 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 9-26 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 October 2006 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

1. Applicant cancelled claims 1-8.

DETAILED ACTION

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azieres et al. (U.S. 6,646,564) in view of Cravo de Almeida et al. (U.S. Pub. No. 2002/0169871).

As per claims 9 and 20-25, Azieres et al. teach a mechanism for recording condition values of the technical installation (see col. 7, lines 18-28); and a mechanism for transmitting the recorded condition values to a central maintenance management system, the central maintenance management system comprising a first mechanism for evaluation of the condition values and a second mechanism for generating maintenance orders according to the result of the evaluation of the condition values (see col. 7, lines 1-28; col. 2, lines 1-35; col. 12, lines 30-45; col. 13, lines 3-26; and col. 3, line 63 to col. 4, line 28), wherein the mechanism for transmitting the recorded condition values is adapted for transmitting the recorded condition values using e-mail (see col. 3, line 63 to col. 4, line 4; col. 4, lines 53-57; and col. 7, lines 30-45).

Azieres et al. do not explicitly teach transmitting the recorded condition values to the central maintenance management system using e-mail.

Cravo de Almeida et al. teach this feature (see paragraphs [0005] ; [0007] ; [0009] ; and [0011]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Cravo de Almeida et al.'s teaching into Azieres et al.'s teaching because it would analyze the collected data in an efficient manner to determine the system performance and take any necessary actions to assure its proper performance.

As per claims 10 and 26, Azieres et al. further teach that the second mechanism of the central maintenance management system generates the maintenance orders according to predefined rules (see col. 13, lines 3-26).

As per claims 11 and 12, Azieres et al. further teach that the central maintenance management system comprises a third mechanism for implementation, monitoring and/or documentation of the generated maintenance order (see col. 3, line 63 to col. 4, line 28).

As per claims 13-15, Azieres et al. further teach that the mechanism for transmitting is adapted for using a http transfer (see col. 12, lines 24-30).

As per claims 17-19, Azieres et al. further teach that the mechanism for recording is integrated into a logical program controller (see col. 12, lines 6-45).

Response to Arguments

3. Applicant's arguments filed 10/19/06 have been fully considered but they are not persuasive.

Applicant argues that Azieres et al. do not teach transmitting the recorded condition values to the central maintenance system using e-mail.

Examiner disagrees with the Applicant argument because Azieres et al. teach, in col. 3, line 63 to col. 4, line 4 and col. 4, lines 53-57, that the recorded condition values can be transmitted to the central maintenance system using e-mail.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohamed Charioui whose telephone number is (571) 272-2213. The examiner can normally be reached Monday through Friday, from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohamed Charioui

1/3/07



MARC S. HOFF
SUPERVISORY PATENT EXAMINER
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